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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 STEPHEN SILVERMAN,

17 Defendant.

) NO. CR-18-533 RS

) STIPULATION AND ORDER
CONTINUING TRIAL DATE

)

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19
20 The United States of America, through Alexandra Shepard, Assistant United States Attorney,
21 and the defendant, Stephen Silverman, through his counsel, hereby stipulate to continue the trial date in
22 this matter to March 13, 2023 at 9:00 a.m., and the pretrial conference date to February 22, 2023 at 10
23 a.m.

24 This case is currently set for an approximately two- to three-week trial beginning June 13, 2022.
25 Counsel for the defendant now has an unavoidable conflict in that time period due to a multi-defendant
26 trial in another district. The government does not object to continuing the trial date.

27 Time is currently excluded in this case through June 13, 2022. The government and counsel for
28 the defendant agree that time should be excluded under the Speedy Trial Act for continuity of counsel in

STIPULATION TO CONTINUE TRIAL AND ORDER
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1 light of counsel's unavailability, and also so that defense counsel can continue to prepare, including by
2 reviewing the discovery already produced and additional discovery that the government anticipates
3 producing in advance of trial. For these reasons, the parties stipulate and agree that excluding time until
4 March 13, 2023 will allow for continuity of counsel and the effective preparation of counsel. *See* 18
5 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by
6 excluding the time from June 13, 2022 through March 13, 2023 from computation under the Speedy
7 Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §
8 3161(h)(7)(A), (B)(iv).

9
10 IT IS SO STIPULATED.

11 DATED: April 22, 2022

12 _____ /s/
13 ALEXANDRA SHEPARD
ANDREW DAWSON
Assistant United States Attorney

14 DATED: April 22, 2022

15 _____ /s/
16 TIMOTHY SCOTT
MARCUS BOURASSA
Counsel for Defendant STEPHEN SILVERMAN

17
18 ORDER

19 Upon stipulation of the parties and for good cause shown, it is hereby ORDERED that the trial in
20 this case is continued to March 13, 2023 at 9:00 a.m. The pretrial conference is continued to February
21 22, 2023 at 10:00 a.m.

22 Based upon the facts set forth in the stipulation of the parties and for good cause shown, the
23 Court finds that failing to exclude the time from June 13, 2022 through March 13, 2023 would
24 unreasonably deny the defendant continuity of counsel, and defense counsel and the defendant the
25 reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18
26 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time
27 from June 13, 2022 to March 13, 2023 from computation under the Speedy Trial Act outweigh the best
28 interests of the public and the defendant in a speedy trial. Therefore, and with the consent of the parties,

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1 IT IS HEREBY ORDERED that the time from June 13, 2022 through March 13, 2023 shall be excluded
2 from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

3 IT IS SO ORDERED.

4
5 DATED: April 22, 2022


HON. RICHARD SEEBORG
United States District Judge